

enclosed Terminal Disclaimer. The filing of the Terminal Disclaimer is not to be construed as an admission, estoppel or acquiescence. See *Quad Environmental Technology v. Union Sanitary District*, 20 USPQ2d 1392 (Fed. Cir. 1991) and *Ortho Pharmaceuticals Corp. v. Smith*, 22 USPQ2d 1119 (Fed. Cir. 1992).

Claims 8-12 and 14-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,201,194 to Lauffer et al. in view of U.S. Patent 6,175,087 to Keesler. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lauffer and Keesler in further view of U.S. Patent 5,719,354 to Jester. These rejections of the claims have been overcome by the filing of the attached Declaration of Common Ownership. In particular, the present application and US patent 6,201,194 were, at the time the invention of this application was made and is currently commonly owned by the same party, i.e. International Business Machines Corporation. In addition, an assignment to this application to International Business Machines Corporation has been recorded in the USPTO at Reel 011028 Frame 0255(copy attached). In view of the Declaration, these rejections over Lauffer et al has been eliminated because the present application was filed prior to the issuance of Lauffer et al. See 35 USC 103(c) and MPEP 706.02(l)(1) and 706.02(l)(2). The filing of the Declaration is not to be construed as an admission, acquiescence or estoppel with respect to the rejections over Lauffer et al. For example, see *Quad Environmental Tech. V. Union Sanitary District* 20 USPQ2d 1474(Fed. Cir. 1991) which discussed the filing of a Terminal Disclaimer. The filing of the Declaration in the present case is deemed somewhat analogous to that situation.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to Deposit Account No. 22-0185.

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Robert M. Japp et al.
Serial No.: 09/625,135
Filed: July 25, 2000
For: Composite Laminate Circuit
Structure and Methods of
Fabricating

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TECHNOLOGY CENTER R3700

DECLARATION OF COMMON OWNERSHIP

Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney for the assignee of the entire right, title and interest of this application hereby declares that both the present application USSN 09/625,135 and US patent 6,201,194 B1 to Lauffer et al. were, at the time the invention of USSN 09/625,135 was made and is currently owned by International Business Machines Corporation.

All statements made herein of my own knowledge are true. All statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine, imprisonment, or both, under 18 U.S.C. 1001 and may jeopardize the validity of the application or any patent issuing thereon.

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